

IN THE DISTRICT COURT OF THE UNITED STATES

For the Western District of New York

November 2009 Grand Jury
Empaneled November 6, 2009

THE UNITED STATES OF AMERICA

10-CR-_____

-vs-

INDICTMENT

DAVID R. RINERE

Violations:

Title 18, United States Code,
Sections 2251(a), 2252A(a)(2)(A), and
2252A(a)(5)(B)

COUNT 1

(Production of Child Pornography)

The Grand Jury Charges That:

Between on or about October 1, 2008 and November 15, 2008, the exact dates being unknown, in the Western District of New York, the defendant, **DAVID R. RINERE**, did knowingly employ and use a minor, a female the age of thirteen years old, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct with such visual depictions having

been produced and transmitted using materials that had been shipped and transported in and affecting interstate and foreign commerce, and having been transported using any means and facility of interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 2251(a) .

COUNT 2

(Receipt of Child Pornography)

The Grand Jury Charges That:

On or about October 24, 2008, in the Western District of New York, the defendant, **DAVID R. RINERE**, did knowingly receive, and attempt to receive, child pornography, as defined by Title 18, United States Code, Sections 2256(8)(A) and (B), specifically the images identified in the table below, that had been mailed, that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and that had been shipped and transported using any means and facility of interstate and foreign commerce:

TABLE

File Name/Description
untitled.jpg
untitled1.jpg
untitled2.jpg

**All in violation of Title 18, United States Code,
Section 2252A(a) (2) (A) .**

COUNT 3

(Possession of Child Pornography)

The Grand Jury Charges That:

From a date no sooner than October 1, 2008 to on or about November 30, 2008, in the Western District of New York, the defendant, **DAVID R. RINERE**, did knowingly possess material, that is, a Dell Dimension L500C desktop computer, that contained images of child pornography, as defined by Title 18, United States Code, Sections 2256(8) (A) and (B), that had been mailed, that had been shipped and transported using any means and facility of interstate and foreign commerce, and that had been

shipped and transported in and affecting interstate and foreign commerce, and that had been produced using materials that had been mailed, shipped, and transported in and affecting in interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Section 2252A(a) (5) (B) .

KATHLEEN M. MEHLTRETTER
United States Attorney

By: s/Marisa J. Miller
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A TRUE BILL:

s/Foreperson
Foreperson